

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 JOSEPH JOHNSON,

14 Defendant.

CASE NO. CR22-0036-JCC

ORDER

15 This matter comes before the Court on Defendant Joseph Johnson's unopposed motion to
16 continue trial and pretrial deadlines (Dkt. No. 16).

17 Last month, a grand jury indicted Mr. Johnson on five counts related to alleged fentanyl
18 distribution and possessing a firearm in furtherance of the same. (Dkt. No. 8.) Trial is currently
19 set for May 23, 2022, and the pretrial motions deadline has already passed. (See Dkt. No. 14.)
20 Defendant, through counsel, seeks a continuance to October 11, 2022, citing the need for more
21 time to review recently produced voluminous discovery, conduct a defense investigation, do
22 legal research, consult with counsel, and prepare for trial. (Dkt. No. 16 at 1-2.)

23 Having thoroughly considered the briefing and the relevant record, the Court FINDS that
24 the ends of justice served by granting a continuance outweigh the best interests of Defendants
25 and the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). The reasons for this finding are:
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1 1. Taking into account the exercise of due diligence, a failure to grant a continuance
2 would deny defense counsel the reasonable time necessary for effective preparation due to
3 counsel's need for more time to review the evidence, consider possible defenses, and gather
4 evidence material to the defense as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv);

5 2. Failure to grant such a continuance would be likely to result in a miscarriage of
6 justice as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

7 3. The additional time requested between the current trial date and the new trial date
8 is a reasonable period of delay.

9 Accordingly, it is hereby ORDERED as follows: (1) Mr. Johnson's motion (Dkt. No. 16)
10 is GRANTED; (2) The May 23, 2022 jury trial is CONTINUED to October 11, 2022, and
11 pretrial motions will be due August 31, 2022; and (3) The period from the date of this order until
12 October 11, 2022 is an excludable period under 18 U.S.C. § 3161(h)(7)(A).

13 DATED this 18th day of April 2022.



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15 John C. Coughenour
16 UNITED STATES DISTRICT JUDGE
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